

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

KEITH STAMPS,
Petitioner,

v.
RANDY GROUNDS,
Respondent.

Case No. [12-cv-05753-BLF](#)

**ORDER GRANTING PETITIONER'S
MOTION TO REOPEN AND
REQUIRING STATUS UPDATE**

On June 24, 2016, the Court of Appeals remanded this case to this Court for the limited purpose of ruling on Petitioner's motion to reopen proceedings. *See* ECF 32. The Court then set forth a briefing schedule on the motion and Petitioner's counsel, Donald Bergerson, filed a response. ECF 35. Having reviewed the filing, the Court finds that Petitioner's counsel has shown good cause to reopen proceedings. Accordingly, the Court GRANTS Petitioner's motion to reopen.

The Court notes that, notwithstanding the events described in Mr. Bergerson's memorandum, Mr. Bergerson remains attorney of record in this case. While the Court does not interfere with a party's selection of counsel, the Court will provide notice of this order to Petitioner Keith Stamps by mail at:

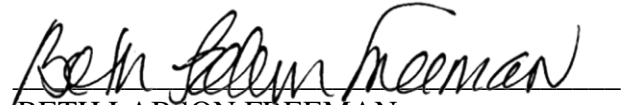
Keith Stamps AB1095
Salinas Valley State Prison
P.O. Box 1050 B5-135
Soledad, CA 93960

The Court ORDERS Petitioner and Mr. Bergerson to discuss the manner in which this case shall proceed, including whether or not Petitioner will be represented in this action. The Court additionally ORDERS Petitioner or Mr. Bergerson, depending on the outcome of that discussion,

1 to file an amended petition alleging that Petitioner's claims are entirely exhausted or to provide an
2 update regarding when the claims will be exhausted by no later than **October 6, 2016**.

3 **IT IS SO ORDERED.**

4 Dated: August 5, 2016

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6 BETH LABSON FREEMAN
7 United States District Judge
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United States District Court
Northern District of California